

VZCZCXYZ0008
RR RUEHWEB

DE RUEHML #2712 3470542
ZNR UUUUU ZZH
R 120542Z DEC 08
FM AMEMBASSY MANILA
TO SECSTATE WASHDC 2670

UNCLAS MANILA 002712

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PREL](#) [CJAN](#) [RP](#)

SUBJECT: CORRECTED COPY: NO RESPONSE YET FROM GRP ON UNDOCUMENTED
FILIPINOS AWAITING DEPORTATION

REF: A) STATE 056512
B) Email Haynes-Burgwinkle 12/06/2008
C) Deportations WG - Philippine Case update

¶1. (U) As requested in Ref A, this telegram is to record formally Post's actions to date in response to Ref B concerning the cases of Armando Sierda Abad and David Valasote Miraflor. They remain in U.S. custody after allegedly renouncing their Filipino citizenship to avoid deportation. The Government of the Philippines has not issued them travel documents and has not responded to the demarche urging documentation. Post will continue to follow up.

¶2. (SBU) Demarche: On June 4, 2008, Consul General and Deputy Political Counselor delivered demarche to the Assistant Secretary for Consular Affairs Domingo "Doy" Lucenario, Jr., and the Director of the United States Division of the Office of American Affairs Ariel Rodelas Penaranda. Lucenario was prepared for the meeting, and he noted that if the practice of not documenting after renunciation became widespread, there might be additional cases in which the Philippines might be unable to extradite people it wished to have returned here. Besides the issue of whether the renunciations of citizenship by Abad and Miraflor were valid, he said there was a second issue the legal staff would have to address: whether the Philippines could issue a passport for a person who had not applied for one. He judged the second issue was less difficult for them than the first. He said his staff believed that the problems had been addressed before, and they were researching to find how earlier cases had been resolved. He told the Consul General that he expected his legal advisors would provide an answer very soon; he hoped to provide an answer in writing "within a week or two."

¶3. (SBU) Follow up: During a meeting in Lucenario's office on August 28, 2008, Post's Fraud Prevention Manager again raised the issue of documenting Filipino citizens awaiting deportation. Lucenario said that the issue had been referred to the legal office in June, but that that office had not had an assistant secretary for the last 3 months. He said he had tried to refer the issue to the Under Secretary, but the question was sent back to the legal office. The new secretary was briefed on the issue when he took the position shortly before the August 28 meeting, and Lucenario indicated that he had another meeting with him later that day and would raise it again. Lucenario committed to providing a response within one week. Post has had no further word from the Department of Foreign Affairs. Post will follow up.

KENNEY